

REQUEST FOR RECONSIDERATION

Reconsideration of the present application is respectfully requested.

The Examiner rejected Claims 14-16, 39-42, 51-52 and 55 under 35 U.S.C. §103(a) as being unpatentable over U.S. Pat. App. Publication No. 2003/0198179 to Koo et al. (hereinafter *Koo*), which is a Samsung reference, in view of U.S. Pat. App. Publication No. 2005/0266848 to *Kim*. The Examiner rejected Claims 17, 22-24 and 56-59 under 35 U.S.C. §103(a) as being unpatentable over *Koo* in view of *Kim*, and further in view of the background section of the present Specification (hereinafter *Background*). The Examiner rejected Claims 50, 53-54 and 60 under 35 U.S.C. §103(a) as being unpatentable over *Koo* in view of *Kim*, and further in view of “Backoff-based Priority Schemes for IEEE 802.11” to *Xiao*.

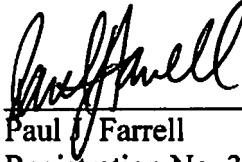
As to the §103(a) rejection of Claims 14-16, 39-42, 51-52 and 55, the Examiner alleged that *Koo* in view of *Kim* teaches or fairly suggests all that is recited in the rejected claims. In response, Applicants respectfully submit that the rejection must be withdrawn, for the following reasons.

Applicants note that *Kim* has a provisional date of May 7, 2004, which is pre-dated by the May 9, 2003 foreign priority date of the present application. To perfect priority, the certified English translation of the foreign priority document CN 03123613.8, is filed herewith.

Accordingly, it is respectfully submitted that the §103(a) rejections citing *Kim* are improper, and withdrawal thereof is respectfully requested.

Accordingly, all of the claims pending and under examination in the Application, namely, Claims 14-17, 22-24, 39-42 and 50-60, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants’ attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", is written over a horizontal line.

Paul J. Farrell
Registration No. 33,494
Attorney for Applicant(s)

THE FARRELL LAW FIRM, PC
290 Broadhollow Rd., Ste. 210 E
Melville, New York 11747
(516) 228-3565